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HUMAN RIGHTS COMMITTEE

Forty-eighth session

SUMMARY RECORD OF THE SECOND PART (PUBLIC)* OF THE 1262nd MEETING

Held at the Palais des Nations, Geneva,
on Friday, 30 July 1993, at 10 a.m.

Chairman: Mr. ANDO

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* The summary record of the first part (closed) of the meeting appears as document CCPR/C/SR.1262.

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GE.93-17834 (E)

The public meeting was called to order at 12.15 p.m.

ANNUAL REPORT OF THE COMMITTEE TO THE GENERAL ASSEMBLY THROUGH THE ECONOMIC AND SOCIAL COUNCIL UNDER ARTICLE 45 OF THE COVENANT AND ARTICLE 6 OF THE OPTIONAL PROTOCOL (agenda item 7) (continued)

1. The CHAIRMAN invited the Committee to conclude the consideration of its draft annual report.

Document CCPR/C/48/CRP.1/Add.9: Periodic report of Iran, Islamic Republic of (3rd part)

2. Document CCPR/C/48/CRP.1/Add.9 was adopted.

Document CCPR/C/48/CRP.1/Add.19: Periodic report of Hungary

3. Paragraphs 1-26 were adopted.

4. Mr. WENNERGREN drew attention to a mistake in the fifth sentence of paragraph 27. The bill that would soon be submitted to the Hungarian Parliament would not provide for "limited judicial review", but limited access to an appeal for judicial review; he therefore proposed replacing the last part of that sentence by the phrase ("provide for judicial review in respect of such offences, with certain exceptions").

5. The proposal was adopted.

6. Paragraph 27, as amended, was adopted.

7. Paragraphs 28-34 were adopted.

8. Mr. FODOR said that he was in favour of deleting the end of the last sentence in paragraph 35, because it was incorrect to say that "individuals were not able to appeal to the courts against administrative decisions".

9. The proposal was adopted.

10. Paragraph 35, as amended, was adopted.

11. Paragraphs 36-38 were adopted.

12. Document CCPR/C/48/CRP.1/Add.19 as a whole, as amended, was adopted.

Document CCPR/C/48/CRP.1/Add.20: Periodic report of Egypt

13. Mr. AGUILAR URBINA (Rapporteur) said that in paragraph 26 the adjective "draconian" should be replaced by "very strict". In the last sentence of paragraph 27, the words "in its report" should be inserted between "did not provide" and "adequate information on investigations", because the Egyptian delegation had provided such information orally.

14. Mr. EL SHAFEI drew attention to a substantive error that appeared in two places. In the second sentence of paragraph 3, the reference to legislative provisions having been enacted in respect of the nationality of children born of a foreign woman married to an Egyptian was incorrect; it

should read: "the nationality of children born of an Egyptian woman married to a foreigner". Similarly, in paragraph 17, the end of the third sentence should be amended to read: "the conditions under which a child may acquire Egyptian nationality through its mother in the event that she was married to a foreigner".

15. In paragraph 23, it would be preferable to use the wording employed by the Committee in its final written comments and thus to amend the second sentence to read: "They were of the view that the renewed dialogue with the State party had been useful and had helped the Committee to evaluate the situation in Egypt, including the compatibility of domestic legislation with the Covenant as well as factors and difficulties impeding the application of the Covenant in Egypt".

16. Ms. EVATT said she seemed to recall that the minimum age for the employment of minors had been set at 15 years by recent legislation; that point was not made by the first sentence of paragraph 20, where it was merely stated that "in conformity with Egyptian law, the minimum age for the employment of minors was 15 years of age". That needed to be made clear.

17. The proposed amendments were adopted.

18. Document CCPR/C/48/CRP.1/Add.20 as a whole, as amended, was adopted.

Document CCPR/C/48/CRP.1/Add.21: Periodic report of Bulgaria

19. Document CCPR/C/48/CRP.1/Add.21 was adopted.

Document CCPR/C/48/CRP.1/Add.22: General comments of the Committee

20. Document CCPR/C/48/CRP.1/Add.22 was adopted.

Document CCPR/C/48/CRP.1/Add.23: Consideration of communications

21. Mr. POCAR, referring to section B of the document, on the growth of the Committee's case-load under the Optional Protocol, said it should be made clear that communications emanated from persons under the jurisdiction of a growing number of States parties; that was more accurate and better explained why the Committee then requested an increase in the number of staff specialized in the various legal systems.

22. In the final paragraph of section B, it should be specified that it was the summer session that should be extended, because that was what had been decided.

23. Mr. MAVROMMATIS said that, in indicating the number of communications received, the Committee should stipulate the number of persons involved. Moreover, in calling for an increase in staff, the Committee should explain that following up its views was bound to give it more and more work.

24. Mr. AGUILAR URBINA said he agreed with the proposals and would amend the text accordingly.

25. Section B, as amended, was adopted.

26. Sections C and D were adopted.

27. Section E was adopted, subject to two minor drafting changes to the English version.

28. Section F was adopted.

29. Mr. MAVROMMATIS, speaking in his capacity as the new Special Rapporteur for the follow-up of views, said that a phrase should be added to the last sentence of section G to indicate that, owing to lack of time, the Committee had had to defer the consideration of his working paper.

30. Mrs. HIGGINS recalled that, in a previous annual report, the Committee had welcomed the initiative of Finland in amending its legislation in pursuance of the Committee's views. She thought that the same should be done in the case of the Canadian Government, which had also taken positive measures following the Committee's decision in the Ballantyne case.

31. Those two proposals were approved.

32. Document CCPR/C/48/CRP.1/Add.23, as amended, was adopted.

Document CCPR/C/CRP.1/Add.24: Annexes

33. Mr. POCAR said he wondered whether the Committee should not expound in annex I, for example in a footnote, the practice that it had adopted with regard to succession of States. In the case of the former USSR, it would be recalled, the Committee had decided that the obligations of that State party had automatically been assumed by successor States. He also asked whether a message had been sent to the Governments of States concerned.

34. Mrs. KLEIN (Centre for Human Rights) said that the Chairman had addressed notes verbales to the Governments of: Armenia, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan and Macedonia. Since then, Armenia had ratified the Covenant, but no reply had been received from the other countries.

35. Mr. AGUILAR URBINA (Rapporteur) said that he would prepare a footnote specifying those details.

36. Document CCPR/C/48/CRP.1/Add.24, was adopted, subject to the inclusion of that supplementary information.

37. The annual report of the Committee to the General Assembly as a whole, as amended, was adopted.

CLOSURE OF THE SESSION

38. After an exchange of courtesies, the CHAIRMAN declared closed the forty-eighth session of the Committee.

The meeting rose at 1.05 p.m.